

### **IN THE DRAWINGS**

Figure 1 has been amended wherein one of the references to numeral 9 has been replaced with reference number 19. A replacement page for the first sheet of drawings is enclosed with this amendment.

### **REMARKS**

The Office Action dated January 26, 2005, has been studied in detail along with the references applied and cited by the Examiner. In response, selected claims have been amended (claims 1, 5, 9, and 12), and new claims 13 and 14 added. Pending claims should be read in conjunction with the accompanying arguments in support of patentability. Further examination and reconsideration of the application as amended are respectfully requested.

### **THE OFFICE ACTION**

Claims 1-14 are pending in the application.

Claim 5 was objected to because of the following informality: "mmy" in line 2 appeared to be in error. Claim 5 has been amended in the present amendment to remove the letter [[y]] in line 2.

Claims 1, 2, 6, 7, and 9-11 were rejected under 35 U.S.C §102(b) as being anticipated by Kuo (4,790,336).

Claims 3-5 were rejected under 35 U.S.C §103(a) as being unpatentable over Kuo.

Claim 8 was rejected under 35 U.S.C §103(a) as being unpatentable over Kuo in view of Lee (4,214,598).

Claim 12 was rejected under 35 U.S.C §103(a) as being unpatentable over Kuo in view of Urso (5,323,796).

### **SPECIFICATION**

The Examiner objected to the disclosure because of the following informalities: reference numeral 9 refers to an arm and an indentation. Applicants have amended the specification such that the numeral 9 refers to the arm and a new numeral 19 refers to the indentation.

Applicants have also amended Figure 1 accordingly (refer to attached 'replacement sheet').

### **CLAIM REJECTIONS – 35 U.S.C. §102**

The Examiner rejected claims 1, 2, 6, 7, and 9-11 under 35 U.S.C. §102(b) as being anticipated by Kuo.

The Examiner described Kuo as having “grip includes a guide for the floss formed as a groove 52 within the grip”.

Additionally, the Examiner described Kuo as having a “grip provided with a resiliently mounted locking element 50 (which acts as a spring element) which is a post operable by pressure for releasing the locking action. The grip has securing elements (internal ribs) to prevent loss of the locking (spring) element”.

In Kuo, the following is described: “the cap makes a snap-lock by an annular ring 48 which makes a snap-lock with three equally spaced apart segments of cooperating annular shoulders 50, although other means for releasably fastening a cap to the housing can be used without departing from the scope of the invention” (column 3, lines 27-32). Thus, element 50 merely refers to cooperating shoulders for engaging the annular ring 48 for securing the cap.

In contrast, Applicants disclosure describes a holder having a guide which extends over the entire arm to the prongs. Additionally, the holder includes a resiliently mounted locking element for selectively locking the floss spool.

Amended claim 1 recites “the guide extending to the prongs and being arranged on the upper surface of the holder”. The guide 51, 52 of Kuo only extends over a short distance close to the spool. The guide of Kuo does not extend to the prongs or even to the holding element. The guide in the present application provides protection for the floss along its length.

Amended claim 9 recites that “the grip is provided with a resiliently mounted locking mechanism, which has a post operable by pressure for selectively releasing the locking action on the spool”.

None of the aforementioned structures, recited in amended independent claims 1

and 9 and new claim 13, are shown in Kuo. Applicants submit that the pending independent claims 1, 9, and 13, and all claims dependent therefrom, are not anticipated by Kuo for at least the reasons set forth above, and are allowable over this record art.

### **CLAIM REJECTIONS – 35 U.S.C. §103**

The Examiner rejected claims 3-5 under 35 U.S.C. §103(a) as being unpatentable over Kuo. The arguments raised with respect to the above identified claims are equally appropriate here and will not be repeated. Claims 3-5 add further limitations which distinguish from the cited art and are not made obvious for at least the reasons stated above.

The Examiner next rejected claim 8 under 35 U.S.C §103(a) as being unpatentable over Kuo in view of Lee (4,214,598). The arguments raised with respect to the above identified claims are equally appropriate here and will not be repeated. Claim 8 is not made obvious for at least the reasons stated above. In addition, neither Kuo nor Lee recognize the problems addressed by Applicants. One skilled in the art, having the cited references before him, would not be informed that the problems solved by Applicants ever existed. Furthermore, combining Kuo with Lee would not result in a guide extending to the prongs and being arranged on the upper surface of the holder for protecting the floss therealong. Applicants request reconsideration and withdrawal of the §103(a) rejection of claim 8 and allowance thereof.

Claim 12 was rejected under 35 U.S.C §103(a) as being unpatentable over Kuo in view of Urso (5,323,796). The arguments raised with respect to the above identified claims are equally appropriate here and will not be repeated. Claim 12 has been amended and is now dependent upon claim 9. Claim 12 is not made obvious for at least the reasons stated above. In addition, neither Kuo nor Urso recognize the problems addressed by Applicants. One skilled in the art, having the cited references before him, would not be informed that the problems solved by Applicants ever existed. Furthermore, combining Kuo with Urso would not result in a resiliently mounted post for

selectively locking the floss supply spool. Applicants request reconsideration and withdrawal of the §103(a) rejection of claim 12 and allowance thereof.

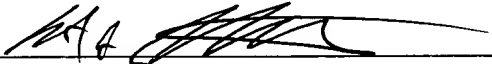
### CONCLUSION

Each issue raised in the Office Action dated January 26, 2005 has been addressed. Applicant believes all remaining claims are in condition for allowance, and respectfully request notice thereof. Applicant's attorney can be reached at the telephone number below if any further information is needed.

Respectfully submitted,

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